

REMARKS

Claim Rejections – 35 U.S.C. 112

Claims 1, 11 and 18 were rejected under 35 U.S.C. 112, 2nd paragraph, for failing to distinctly claim the subject matter that the applicant regards as the invention.

5 Response

Claims 1 and 11

The applicant has amended the claims to further include the limitation where if results from each of the plurality of operating environments are **not** the same then the memory is determined to be defected. Claims 1 and 11 have also been amended to state 10 that the memory has defective sections, to comply with the Examiner's suggestions. As the Examiner stated in the previous Office Action that claims 1 – 20 would be found allowable if claims 1 and 11 were rewritten to overcome the 112 rejections, currently amended claims 1 and 11 should be in a position for allowance.

As claims 2 – 10 and 12 – 17 depend on claims 1 and 11, respectively, claims 2 – 10 15 and 12 – 17 should also be found allowable.

Claim 18

Claim 18 has been amended to comply with the Examiner's suggestions. The applicant wishes to point out that, as Claim 18 already contains the limitation of "a 20 memory with defective sections", the above argument for claims 1 and 11 does not apply to Claim 18.

As claims 19 – 20 are dependent on Claim 18, claims 19 – 20 should also be found allowable.

Claim Rejections – 35 U.S.C. 101

Claims 1, 11 and 18 were rejected under 35 U.S.C. 101 as claiming a use without 25 setting forth any steps involved in the process.

Response

As the Examiner stated in the Office Action that amending the claims to overcome the 35 U.S.C. 112 rejection would overcome the 35 U.S.C. 101 rejection, the applicant

believes that the currently amended claims should be in a position for allowance.

As claims 2 – 10, 12 – 17 and 19 – 20 depend on claims 1, 11 and 18, respectively, claims 2 – 10, 12 – 17 and 19 – 20 should also be found allowable under U.S.C. 101.

New claims

5 New claims 21 – 30 have been added, which define a method for testing a memory in order to determine integrity, wherein the memory **may or may not** have defective sections. The reasons the applicant believes these new claims should be found allowable are detailed below.

As the point of testing a memory is to determine the memory's integrity, it cannot be
10 known before testing whether the memory has defective sections or not. Furthermore, as stated in paragraph [0006] of the instant application, a certain operating environment (e.g. a high temperature environment) may **cause** the memory to have defective sections, and therefore the defective sections may be present **as a direct result** of the test being executed in that particular environment, but may or may not occur under the other
15 environmental conditions. What the method is trying to establish is whether there is **consistency** in test results across the plurality of operating environments. The consistency may be that there are no defective sections found in any of the operating environments or that the number and location of defects found in each test are consistent throughout all of the environments being tested.

20 In addition, to answer the Examiner's queries on page 3 of the Office Action, as a testing step is well-known by those skilled in the art as a test to determine which, if any, areas of a memory are defective, a testing result being the same under a plurality of operating environments would therefore mean that a number of defective sections under each operating environment is the same. As this condition holds true for a) a situation
25 where there are no defective sections under any operating environment, and b) a situation where at least one operating environment does not yield defective sections then it holds true that the method disclosed in claims 21 – 30 is not required to **only** be applied to a memory having defective sections.

Appl. No. 10/708,276
Amdt. dated July 18, 2008
Reply to Office action of May 07, 2008

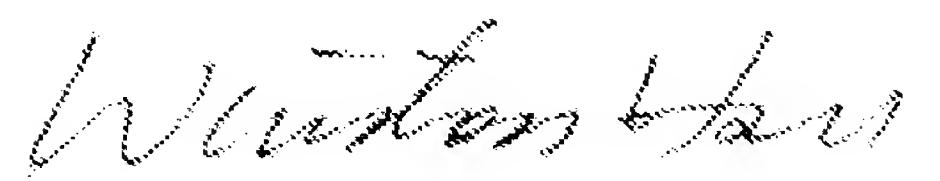
For these reasons, the applicant believes that new claims 21 – 30 should be found allowable.

Conclusion:

- 5 Thus, all pending claims are submitted to be in condition for allowance with respect to the cited art for at least the reasons presented above. The Examiner is encouraged to telephone the undersigned if there are informalities that can be resolved in a phone conversation, or if the Examiner has any ideas or suggestions for further advancing the prosecution of this case.

10

Sincerely yours,



Date: 07/18/2008

- 15 Winston Hsu, Patent Agent No. 41,526
P.O. BOX 506, Merrifield, VA 22116, U.S.A.
Voice Mail: 302-729-1562
Facsimile: 806-498-6673
e-mail : winstonhsu@naipo.com

20

Note: Please leave a message in my voice mail if you need to talk to me. (The time in D.C. is 12 hours behind the Taiwan time, i.e. 9 AM in D.C. = 9 PM in Taiwan.)